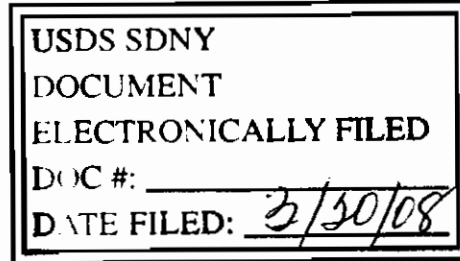


YUSUKE BANNO, : 06 Civ. 2270 (RJS) (JCF)  
 :  
 Plaintiff, : O R D E R  
 :  
 - against - :  
 :  
 CITY OF NEW YORK, POLICE OFFICER :  
 JOHN PARK, POLICE OFFICER ORLANDO :  
 RIVERA and JOHN DOE, :  
 :  
 Defendants. :  
 - - - - - :  
 JAMES C. FRANCIS IV :  
 UNITED STATES MAGISTRATE JUDGE :



Defendants having applied by letter dated January 22, 2008 for an order dismissing plaintiff's emotional distress claims and compelling discovery, it is hereby ORDERED as follows:


1. Defendants' application to dismiss the emotional distress claims is denied. Plaintiff understandably forgot prior to his deposition to identify an arrest for underage drinking, but he has since provided the required releases. If there is a disagreement as to whether or how plaintiff's deposition shall be continued, counsel may present it to me when the issue is ripe.

2. Defendants' application for an order limiting the evidence of economic and special damages that plaintiff may use is denied as premature.

3. Plaintiff shall produce the requested documentary video within ten days.

4. Defendants' request for an order limiting plaintiff's introduction of clothing as evidence at trial is denied. This issue was improperly raised for the first time in defendants' reply letter. In any event, the application is properly addressed to

SO ORDERED.

  
JAMES C. FRANCIS IV  
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York  
March 20, 2008

Copies mailed this date:

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